# No. 88

# **MICHIGAN SENATE**

# DAILY CALENDAR

THURSDAY, OCTOBER 6, 2005 10:00 a.m.

MOTIONS			MESSAGES FROM THE GOVERNOR			
SB	246 Sen. Emerson School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for. Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a.  Motion to discharge Committee on Appropriations pending.	SB	274 Sen. Clarke Appropriations; history, arts, and libraries; department of history, arts, and libraries; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Thursday, September 29. For veto message, see Senate Journal No. 87, page 1762. Vetoed line items pending.			
SB	318 Sen. Basham Labor; hours and wages; minimum wage; increase. Amends sec. 4 of 1964 PA 154 (MCL 408.384). Motion to discharge Committee on Commerce and Labor pending.	SB	281 Sen. Barcia Appropriations; transportation; state transportation department; provide for fiscal year 2005-2006. Creates appropriation act.			
	MESSAGES FROM THE GOVERNOR		Approved by Governor, with line items vetoed, Friday, September 30.  For veto message, see Senate Journal No. 87, page 1762.  Vetoed line items pending.			
SB	272 Sen. Switalski Appropriations; general government; general government; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed,		MESSAGES FROM THE HOUSE			
	Wednesday, September 28.  For veto message, see Senate Journal No. 87, page 1760.  Vetoed line items pending.	SB	356 Sen. Patterson Public utilities; water utilities; on-site wastewater in-			
SB	271 Sen. Scott Appropriations; human services; department of human services; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Wednesday, September 28. For veto message, see Senate Journal No. 87, page 1760. Vetoed line items pending.		vestor-owned utilities; create.  Amends sec. 5301 of 1994 PA 451 (MCL 324.5301) & adds sec. 5309a.  I.E. House, June 23, 2005.  Returned from House with House substitute (H-1), Tuesday, June 28; laid over under the rules.  Committee recommended I.E.			
SB	264 Sen. Barcia Appropriations; agriculture; department of agriculture; provide for fiscal year 2005-2006. Creates appropriation act.	SB	419 Sen. Allen Public utilities; water utilities; private wastewater treatment facilities; allow public service commission to regulate.  Amends sec. 6 of 1939 PA 3 (MCL 460.6).			

I.E. House, June 23, 2005.

Committee recommended I.E.

Tuesday, June 28; laid over under the rules.

Returned from House with House substitute (H-3),

Approved by Governor, with line items vetoed,

For veto message, see Senate Journal No. 87, page 1761.

Wednesday, September 28.

Vetoed line items pending.

### MESSAGES FROM THE HOUSE

\_\_\_\_ 10 \_\_\_\_\_

### SB 298 Sen. Kuipers

Businesses; business corporations; fee reduction for early stage technology companies; provide for.

Amends sec. 1062 of 1972 PA 284 (MCL 450.2062).

I.E. House, September 28, 2005.

Returned from House with House substitute (H-3), Thursday, September 29; laid over under the rules.

Committee recommended I.E.

### SB 359 Sen. Garcia

Economic development; other; biosciences research and commercialization center; establish.

Amends 1984 PA 270 (MCL 125.2001 - 125.2093) by adding ch. 7A.

I.E. House, September 28, 2005.

Returned from House with House substitute (H-3), Thursday, September 29; laid over under the rules.

Committee recommended I.E.

\_\_\_\_\_ 12 \_\_\_\_\_

### SB 521 Sen. Bishop

Income tax; deductions; deduction for certain investments; provide for.

Amends sec. 30 of 1967 PA 281 (MCL 206.30).

I.E. House, September 28, 2005.

Returned from House with House substitute (H-1), Thursday, September 29; laid over under the rules.

Committee recommended I.E.

\_\_\_\_ 13 \_\_\_\_\_

### SB 533 Sen. Garcia

Economic development; other; the strategic economic investment board and the strategic economic investment bond fund; create in Michigan strategic fund act.

Amends title & secs. 4 & 13 of 1984 PA 270 (MCL 125.2004 & 125.2013) & adds sec. 94 & ch. 8A.

I.E. House, September 28, 2005.

Returned from House with House substitute (H-4), Thursday, September 29; laid over under the rules.

Committee recommended I.E.

### THIRD READING OF BILLS

\_\_\_\_\_ 14 \_\_\_\_\_

### SB 102 Sen. Cropsey

Corrections; state facilities; Ionia maximum correctional facility; rename to Jack Welborn correctional facility.

Amends 1953 PA 232 (MCL 791.201 - 791.283) by adding sec. 20d.

Reported by Committee on Judiciary. Committee recommended I.E.

### THIRD READING OF BILLS

\_\_\_\_\_ 15 \_\_\_\_\_

### SB 337 Sen. Allen

Single business tax; credit; tax credit for historical buildings; create and limit issuance of.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35c.

Reported by Committee on Commerce and Labor. Senate substitute (S-2).

Committee recommended I.E.

### HB 4108 Rep. Mayes

Torts; liability; immunity for farmers who use tank locks or dye additives to prevent anhydrous ammonia theft; provide for.

Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding secs. 2975 & 2976.

I.E. House, June 9, 2005.

House substitute (H-3).

Reported by Committee on Agriculture, Forestry and Tourism.

Senate substitute (S-1).

Committee recommended I.E.

### SB 444 Sen. McManus

Crimes; other; prohibition on sale or possession of police badges; expand to include logos, service marks, patches, and uniforms of law enforcement agencies, and revise penalties.

Amends secs. 216 & 216a of 1931 PA 328 (MCL 750.216 & 750.216a).

Reported by Committee on Judiciary.

Senate substitute (S-1).

For Senate amendments, see Senate Journal No. 86, page 1733.

Committee recommended I.E.

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### **HB 4938** Rep. Hune

Health; autopsies; requirement for a medical examiner to notify Michigan's federally designated organ procurement organization and complete examination within a reasonable time; provide for.

Amends 1953 PA 181 (MCL 52.201 - 52.216) by adding sec. 9.

I.E. House, June 29, 2005.

House substitute (H-2).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

### SB 657 Sen. Goschka

Local government; other; county board of auditors; repeal.

Repeals sec. 4a of 1913 PA 275 (MCL 47.4a).

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-1).

Committee recommended I.E.

### THIRD READING OF BILLS

\_\_\_\_ 20 \_\_\_\_\_

### **SB** 668 Sen. Van Woerkom

Food; processors; protection against nuisance liability; clarify.

Amends sec. 3 of 1998 PA 381 (MCL 289.823).

Reported by Committee on Agriculture, Forestry and Tourism.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_\_ 21 \_\_\_\_\_

### SB 669 Sen. Stamas

Food; processors; administrative complaint brought against person responsible for the processing operation; designate as exclusive remedy regarding allegation of nui-

Amends sec. 4 of 1998 PA 381 (MCL 289.824).

Reported by Committee on Agriculture, Forestry and

Senate substitute (S-2).

Committee recommended I.E.

### HB 4852 Rep. Casperson

Transportation; carriers; revisions to motor carrier safety act to comply with federal law; provide for.

Amends title & secs. 1a, 2d, 3, 4, 5, 6, 7, 7a, 7b, 7c, 7d, 11 & 12 of 1963 PA 181 (MCL 480.11a et seq.); adds secs. 4a, 13, 14 & 15 & repeals acts and parts of acts.

I.E. House, June 28, 2005.

House substitute (H-3).

For House amendment, see House Journal No. 60, page 998.

Reported by Committee on Transportation.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_ 23 \_\_\_\_

#### HB 4857 Rep. LaJoy

Transportation; other; revisions to motor bus transportation act to comply with federal law; provide for.

Amends sec. 31 of 1982 PA 432 (MCL 474.131).

I.E. House, June 28, 2005.

Reported by Committee on Transportation.

Committee recommended I.E.

#### HB **5094** Rep. Kolb

Environmental protection; air pollution; air fee program; revise and extend sunset.

Amends sec. 5522 of 1994 PA 451 (MCL 324.5522).

I.E. House, September 22, 2005.

House substitute (H-1).

Reported by Committee on Appropriations.

Committee recommended I.E.

### THIRD READING OF BILLS

— 25 ———

### **HB** 4858 Rep. Anderson

Traffic control; other; certain requirements for commercial vehicle operators; revise to comply with federal law.

Amends secs. 683, 723 & 724 of 1949 PA 300 (MCL 257.683 et seq.); adds sec. 312g & repeals secs. 714a & 714b of 1949 PA 300 (MCL 257.714a & 257.714b).

I.E. House, June 28, 2005.

House substitute (H-1).

Reported by Committee on Transportation.

Senate substitute (S-2).

For Senate amendments, see Senate Journal No. 87,

Committee recommended I.E.

### **GENERAL ORDERS**

\_\_\_\_ 26 \_\_\_\_\_

### SB 233 Sen. Bishop

Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.

Referred to Committee of the Whole pursuant to MCL 24.245a.

\_\_\_\_ 27 \_\_\_\_\_

### SB 196 Sen. Jelinek

Legislature; legislators; legislator to substitute teach in public schools without pay; allow.

Amends secs. 1230, 1230a & 1233 of 1976 PA 451 (MCL 380.1230 et seq.).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 28 \_\_\_\_\_

#### SB 448 Sen. Cropsey

Courts; judges; salary for judges; revise, establish concurrent jurisdiction for probate judge and district judge, and provide other amendments.

Amends secs. 226, 303d, 410, 810, 859, 871, 1105, 1701, 8322, 8344, 8507 & 8611 of 1961 PA 236 (MCL 600.226 et seg.); adds secs. 411 & 8808 & repeals secs. 557, 557a, 557b, 8555 & 9947 of 1961 PA 236 (MCL 600.557 et seq.).

Reported by Committee on Judiciary.

For Senate amendment, see Senate Journal No. 48, page 708.

**Committee recommended I.E.** — 29 ———

#### HB **4481** Rep. Gaffney

Elections; voting procedures; certain restrictions on requests for registration or absentee ballots; revise.

Amends sec. 759a of 1954 PA 116 (MCL 168.759a) & repeals sec. 504 of 1954 PA 116 (MCL 168.504).

I.E. House, April 19, 2005.

House substitute (H-1).

Reported by Committee on Government Operations.

Senate substitute (S-1).

Committee recommended I.E.

### **GENERAL ORDERS**

<del>\_\_\_\_</del> 30 <del>\_\_\_\_\_</del>

### **SB** 43 Sen. Thomas

Income tax; credit; certain physicians with medical care practices in medically underserved areas; provide credit.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 272.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

<del>\_\_\_\_</del> 31 <del>\_\_\_\_\_</del>

### SB 472 Sen. Kuipers

Energy; other; Michigan superconducting super collider commission; eliminate.

Amends sec. 11 of 1987 PA 26 (MCL 3.821).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

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### SB 475 Sen. Hardiman

Higher education; research; state research fund feasibility review panel; eliminate.

Amends sec. 2 of 1982 PA 175 (MCL 125.1952).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

\_\_\_\_ 33 \_\_\_\_\_

### SB 476 Sen. Sanborn

State; funds; Michigan strategic fund, research center fund advisory committee; eliminate.

Amends sec. 77 of 1984 PA 270 (MCL 125.2077).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

\_\_\_\_ 34 \_\_\_\_\_

### SB 633 Sen. Cassis

Single business tax; rate; rate reduction; provide for.

Amends sec. 31 of 1975 PA 228 (MCL 208.31) & repeals enacting section 1 of 2002 PA 531 & enacting section 3 of 1999 PA 115.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 35 \_\_\_\_

### SB 634 Sen. Cassis

Single business tax; apportionment; sales factor; increase o 100%.

Amends sec. 45a of 1975 PA 228 (MCL 208.45a).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

### **GENERAL ORDERS**

— 36 ——

### HB 4555 Rep. Pearce

Transportation; funds; certain portion of transportation funds earmarked for nonmotorized trails; provide for.

Amends sec. 10k of 1951 PA 51 (MCL 247.660k).

I.E. House, June 9, 2005.

House substitute (H-2).

Reported by Committee on Commerce and Labor.

Senate substitute (S-2).

Committee recommended I.E.

### SB 664 Sen. George

Businesses; profit corporations; electronic filing of documents required under business corporation act; authorize.

Amends sec. 131 of 1972 PA 284 (MCL 450.1131).

Reported by Committee on Commerce and Labor. Senate substitute (S-1).

Committee recommended I.E.

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### SB 665 Sen. Goschka

Businesses; limited liability companies; electronic filing of documents required under Michigan limited liability company act; authorize.

Amends sec. 104 of 1993 PA 23 (MCL 450.4104).

Reported by Committee on Commerce and Labor.

Senate substitute (S-1).

Committee recommended I.E.

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### **SB** 666 Sen. Sanborn

Businesses; nonprofit corporations; electronic filing of documents required under nonprofit corporation act; authorize.

Amends sec. 131 of 1982 PA 162 (MCL 450.2131).

Reported by Committee on Commerce and Labor. Senate substitute (S-1).

**Committee recommended I.E.** 

— 40 —

### SB 667 Sen. Jelinek

Businesses; partnerships; electronic filing of documents required under Michigan revised uniform limited partnership act; authorize.

Amends sec. 206 of 1982 PA 213 (MCL 449.1206).

Reported by Committee on Commerce and Labor.

Senate substitute (S-1).

Committee recommended I.E.

— 41 —

### HB 4638 Rep. Garfield

Military affairs; other; general amendments; provide for. Amends secs. 2, 3, 4, 7, 8, 9, 13, 14, 15, 16, 25, 26, 27, 29, 80, 84, 85, 92, 94, 99, 103, 105, 107, 108, 112, 113, 132 & 134 of 1980 PA 523 (MCL 32.1002 et seq.) & adds secs. 50a, 88, 109 & 121.

I.E. House, May 12, 2005.

House substitute (H-1).

Reported by Committee on Senior Citizens and Veterans Affairs.

Committee recommended I.E.

# **GENERAL ORDERS** SB 708 Sen. Bishop Children; protection; technical amendments; provide for. Amends sec. 3 of 2004 PA 241 (MCL 752.1063). Reported by Committee on Technology and Energy. Committee recommended I.E. \_\_\_\_ 43 \_\_\_\_\_ SJR E Sen. Stamas Land use; condemnation; taking of private property by eminent domain for the primary benefit of private entities; prohibit. Amends sec. 54, art. X of the state constitution. Reported by Committee on Transportation. Senate substitute (S-2). SB 693 Sen. Brown Land use; condemnation; use of eminent domain to transfer private property to private entities; prohibit. Amends sec. 3 of 1911 PA 149 (MCL 213.23). Reported by Committee on Transportation. Senate substitute (S-3). Committee recommended I.E. \_\_\_\_\_ 45 \_\_\_\_\_ SB 754 Sen. Brown Communications; telecommunications; general amendments; provide for. Amends secs. 102, 202, 208 & 304 of 1991 PA 179 (MCL 484.2102 et seq.) & repeals sec. 304b of 1991 PA 179 (MCL 484.2304b). Reported by Committee on Technology and Energy. Senate substitute (S-5). Committee recommended I.E. SB 457 Sen. Cropsey Property; conveyances; transfer of certain state owned property in Ionia county; provide for. Creates land transfer act. Reported by Committee on Appropriations. Committee recommended I.E.

### SB 736 Sen. Goschka

Corrections; jails; expense of inmate medical care; require sheriff to draw on inmate's health care policy before county is charged.

Amends secs. 4 & 4a of 1846 RS 171 (MCL 801.4 & 801.4a).

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

### RESOLUTIONS

— 48 ———

SCR 33 Sen. Cropsey

A concurrent resolution to urge the Michigan Supreme Court to issue a temporary restraining order to prevent the spending of taxpayer monies to fund benefits for homosexual unions until the court has ruled on the constitutionality of this issue.

Rules suspended and consideration postponed, Thursday, September 29.

Adoption pending.

**SR 68** Sen. Cropsey

A resolution to urge the Michigan Supreme Court to issue a temporary restraining order to prevent the spending of taxpayer monies to fund benefits for homosexual unions until the court has ruled on the constitutionality of this is-

Rules suspended and consideration postponed, Thursday, September 29.

\_\_\_\_ 50 \_\_\_\_\_

Adoption pending.

SCR 28 Sen. Johnson

A concurrent resolution to increase the total project cost of the Department of Corrections Riverside Correctional Facility Power Plant Automation project.

Reported by Committee on Appropriations.

For text of resolution, see Senate Journal No. 78, page 1289.

Adoption pending.

### COMMITTEE REPORTS

\_\_\_\_ 51 \_\_\_\_

SB 751 Sen. Allen

Businesses; business corporations; summer resort property owners act; clarify majority vote requirement for mem-

Amends sec. 19 of 1929 PA 137 (MCL 455.219).

\_\_\_\_\_ 52 \_\_\_\_

Reported by Committee on Commerce and Labor. Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### (Eligible for passage Monday, October 10.)

SB 798 Sen. McManus

Economic development; Michigan economic growth authority; certain eligibility requirements; modify.

Reported by Committee on Commerce and Labor. Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### SCHEDULED MEETINGS

**Agriculture, Forestry and Tourism -** Thursday, October 6, 8:30 a.m., Room 110, Farnum Building (373-1635)

**Appropriations -** Thursday, October 6, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

### Subcommittee -

**Capital Outlay -** Thursday, October 6, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

**Banking and Financial Institutions -** Thursday, October 6, 12:00 noon, Room 100, Farnum Building (373-2417)

### SCHEDULED MEETINGS

**Families and Human Services -** Tuesday, October 11, 3:00 p.m., Room 210, Farnum Building (373-1801)

**Michigan Capitol Committee -** Thursday, October 6, 12:30 p.m., Rooms 402 and 403 (CANCELED); Tuesday, October 11, 11:30 a.m., Room 426, Capitol Building (373-0289)

**Natural Resources and Environmental Affairs -** Thursday, October 6, 8:00 a.m., Room 100, Farnum Building (373-3447)

**State Drug Treatment Court Advisory Committee -** Tuesday, October 11, 9:15 a.m., Room 426, Capitol Building (373-0212)

BILLS IN CONFERENCE								
		Confe	Report Agreed To					
Bill No.	Brief Title	Senate	House	Senate	House			
SB 266	Appropriations; community colleges;	Jelinek	Booher (C)					
	community and junior colleges; provide for	Goschka	Kooiman					
	fiscal year 2005-2006.	Switalski	Sak					
SB 267	Appropriations; community health;	Stamas	Caswell (C)					
	department of community health; provide	George	Kahn					
	for fiscal year 2005-2006.	Cherry	Alma Smith					
SB 268	Appropriations; corrections; department of	Cropsey	Brandenburg (C)					
	corrections; provide for fiscal year	Brown	Pastor					
	2005-2006.	Prusi	Alma Smith					
SB 269	Appropriations; education; department of	Jelinek	Moolenaar (C)					
	education; provide for fiscal year 2005-2006.	Cropsey	Farhat					
	•	Scott	Plakas					
SB 270	Appropriations; environmental quality;	McManus	Pastor (C)					
	department of environmental quality; provide	Goschka	Moolenaar					
	for fiscal year 2005-2006.	Barcia	Kolb					
SB 273	Appropriations; higher education; higher	Goschka	Stewart (C)					
	education; provide for fiscal year 2005-2006.	Johnson	Kooiman					
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SB 278	Appropriations; natural resources;	McManus	Walker (C)					
22 2/0	department of natural resources; provide	Johnson	Booher					
	for fiscal year 2005-2006.	Prusi	Williams					
HB 4834	Financial institutions; other; regulation and	Sanborn	Robertson					
	licensing of deferred presentment service	Gilbert	Palsrok					
	providers and transactions; provide for.	Jacobs	McConico					